

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA,

v.

MAJOR BROUNSON, JR. and
ENRIQUE D. TERRY,

Defendants.

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1:15-CR-00366-ELR-JFK

ORDER

This case is before the Court on the Report and Recommendation (“R&R”) issued by Magistrate Judge King. (Doc. 43). The Court’s rulings and conclusions are set forth below.

I. Background

Defendants Major Brounson, Jr. (“Brounson”) and Enrique D. Terry (“Terry”) have been charged in a two count indictment, with each defendant individually charged for being a felon in possession of firearms. Both defendants seek to suppress evidence, two firearms, which were seized from the vehicle in which they were travelling when they were arrested. (Docs. 24 (Terry) and 27 (Brounson)). Additionally, Brounson seeks to suppress his post-arrest statements. (Doc. 28).

II. Standard of Review

The district court reviewing an R&R “shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1). If neither party objects, the district judge need only review the R&R for clear error and “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.* A party objecting to an R&R “must specifically identify those findings objected to. Frivolous, conclusive, or general objections need not be considered by the district court.” *United States v. Schultz*, 565 F.3d 1353, 1361 (11th Cir. 2009) (quoting *Marsden v. Moore*, 847 F.2d 1536, 1548 (11th Cir. 1988)) (internal quotation marks omitted).

III. R&R on Defendants’ Motions to Suppress (Doc. 43)

Magistrate Judge King issued an R&R recommending that all of Defendants’ motions to suppress be denied. The Court agrees with Judge King’s recommendation, to which there has been no objection, that Brounson’s motion to suppress statements (Doc. 28) be denied as moot based on the Government’s agreement not to use the statements.

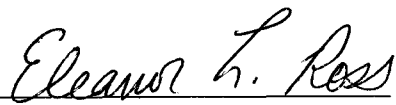
Regarding the two motions to suppress evidence, the Court has conducted a careful and thorough *de novo* review of the R&R and the objections thereto. For the well-stated reasons in the R&R, the Court concludes that the R&R is correct

and that Magistrate Judge King reached the correct legal conclusions. Thus, the Court overrules Defendants' objections and will adopt the R&R as the opinion of this Court.

V. Conclusion

The Court **OVERRULES** Defendants' Objections to the R&R (Docs. 46 and 48); **ADOPTS** the R&R (Doc. 43); **DENIES** Defendants' Motions to Suppress (Docs. 24 and 27), and **DENIES as MOOT** Defendant Brounson's motion to suppress statements (Doc. 28).

SO ORDERED, this 23rd day of August, 2016.


Eleanor L. Ross
United States District Judge
Northern District of Georgia